

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**  
MAY 24 2012  
Clerk, U.S. District & Bankruptcy  
Courts for the District of Columbia

HOWARD BLOOMGARDEN #8561852  
TWIN TOWER CORRECTIONAL FACILITY  
TERMINAL ANNEX  
PO BOX 86164  
LOS ANGELES, CA 90086-0164

Case: 1:12-cv-00843  
Assigned To : Huvelle, Ellen S.  
Assign. Date : 5/24/2012  
Description: FOIA/Privacy Act

v.

UNITED STATES DEPARTMENT OF JUSTICE  
950 PENNSYLVANIA AVENUE  
WASHINGTON, DC 20530-0001

**ORIGINAL COMPLAINT**

**Introduction**

1. Through this action brought pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552 *et seq.*, the undersigned Plaintiff, Howard Bloomgarden (Bloomgarden), seeks to compel the Defendant, United States Department of Justice (DOJ), to produce records requested from the Executive Office for United States Attorneys (EOUSA) under the FOIA.

**Parties**

2. Plaintiff is a federal prisoner currently in temporary state custody. Plaintiff's mailing address is Howard Bloomgarden #8561852, Twin Tower Correctional Facility, Terminal Annex, P.O. Box 86164, Los Angeles, CA 90086-0164.

3. Defendant DOJ may be served at 950 Pennsylvania Avenue, Washington, DC 20530-0001.

**Venue**

4. Venue is appropriate in the District of Columbia in accordance with 5 U.S.C. § 552(a)(4)(B).

**Statement of Facts**

5. On January 6, 2012, Plaintiff submitted an electronic FOIA request to EOUSA at [USAEO.FOIA.Requests@usdoj.gov](mailto:USAEO.FOIA.Requests@usdoj.gov).

6. Plaintiff requested that EOUSA produce “a 35-page termination letter regarding a former AUSA, Raymond R. Granger, dated approximately October, 1996.” In addition, Plaintiff sought seven binders of exhibits related to this termination letter, and any records within these binders that reference or are related to the following case numbers from the Eastern District of New York: 96-CR-190, 95-CR-192, and 95-CR-162.

7. To date, EOUSA has yet to respond to or acknowledge Plaintiff’s FOIA request.

**Count One**

8. Paragraphs one – seven of this Original Complaint are hereby reincorporated as fully set forth herein.

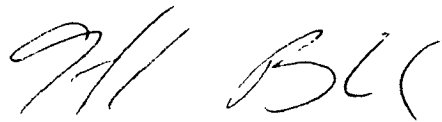
9. Defendant DOJ has failed to respond to Plaintiff’s request for records under FOIA in accordance with the time limits set forth in 5 U.S.C. § 552(a)(6)(A)(i).

10. As a result of Defendant DOJ’s failure to respond to Plaintiff’s FOIA request, Plaintiff is deemed to have exhausted his administrative remedies. 5 U.S.C. § 552(a)(6)(C)(i).

**Relief Requested**

11. Plaintiff respectfully requests the Court order Defendant DOJ to produce the records described in paragraphs five – six of this Original Complaint to Plaintiff.
12. Additionally, Plaintiff requests his costs, and such other relief the Court may deem fit,

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'H Bloomgarden', is written above the typed name.

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Terminal Annex  
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